

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES)
OF AMERICA)
)
)
V.)
)
ROBERT KNOWLES,)
Defendant,)
_____)

CRIMINAL NO. 04-30019-MAP

REQUEST FOR DISCOVERY UNDER RULE 404(b)

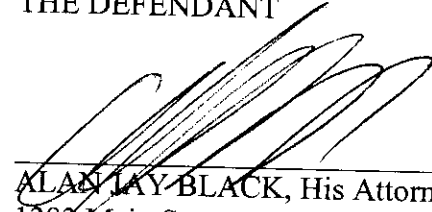
If the government intends to seek the admission into evidence of "other crimes, wrongs or acts" of the defendant, pursuant to Federal Rule of Evidence 404(b) the defendant requests that the government disclose to counsel for the defendant, in writing, at least thirty day prior to trial and that the court order the government to disclose, the following: (a) the date, time and place of each alleged crime, wrong or act; (b) a reasonable description of each alleged crime, wrong or act; (c) a list of any documents or other physical evidence upon which the government intends to rely to prove each such alleged crime, wrong or act; and (d) the "special grounds"

including the special relevance and probative value for such evidence.

Respectfully submitted,

THE DEFENDANT

By:



ALAN LAY BLACK, His Attorney
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V.

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MEMO IN SUPPORT OF 404(b) REQUEST

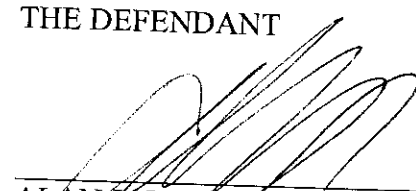
The relatively recent 1991 amendments to Fed.R.Evid. 404(b) have clarified defense counsel's obligation to "request . . . (that the prosecution . . . provide reasonable notice in advance of trial . . . of the general nature of any such (Rule 404 (b)) evidence it intends to introduce at trial." The advisory Committee Notes also encourage seeking a "ruling in limine".

In the instant case, the government has not indicated whether it intends to introduce any 404(b) evidence at this point in time. However, in order to prevent surprise and to provide reasonable notice before trial, defendant requests discovery under 404(b) now.

Respectfully submitted,

THE DEFENDANT

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